



*Office of Patent Counsel  
Space and Naval Warfare Systems Center*

*53510 Silvergate Avenue, Rm 103*

*San Diego, CA 92152-5001*

*Telecopier number: (619) 553-3821*

Date: 22-Jul-02

To:

Name: <u>Yvonne</u>	
Activity: <u>PTO</u>	
Phone: <u>703-306-0382</u>	NC#74023
Fax: <u>703-872-9315</u>	App No. 08/518,051

From:

Name: <u>Jane S. Nuñez - Legal Assistant</u>	
Code: <u>20012</u>	Phone: <u>(619) 553-3001</u>

Number of pages (including cover): 4

Comments:

DISCREPANCIES BELOW: WHICH ONE IS THE CORRECT FOR OUR FILES

WE SHOW: Independent Claims  $2 \times \$84.00 = \$168.00$

YOUR NOTICE STATES: Additional claims  $2 \times \$168.00 = 336.00$

NOTES CHANGES BELOW

#7 Deposit Account No. 50-0847

#11 New Attorney Docket Number 83927

Please advise if you need other information or if you have any questions.

Attorney: Celia C. Dunham, Reg No. 49041

19/02  
7/25/02

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/TITLE

DATE MAILED: 7/3/02

NOTICE TO FILING MISSING PARTS OF APPLICATION (CPA)  
*Filing Date Granted*

The Continued Prosecution Application (CPA) request filed on 6/10/02 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

*The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.*

1. The statutory basic filing fee is:  
 missing.  
 insufficient.

(a) Applicant must submit \$ 740 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

2. Additional claim fees of  
\$ 168.00 (non-small entity) or \$ \_\_\_\_\_ (small entity) for 2 independent claims over 3.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21 (m)).  
 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.  
 5. Other: TOTAL FEE DUE 73 \$ 1038.00

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44.00 CH

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A copy of this Notice MUST be returned with the reply.

07/25/2002 KMARLING 00000003 500847 06516051

Direct the reply and any questions about this Notice to:

CH

SENT BY: SSC SD PATENT COUNSEL D0012;

619 553 3821;

JUL-22-02 8:59AM;

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NAVY CASE NO. 83927

SERIAL NO. 08/518051

APPLICANT Russell, Stephen et al.

Receipt of the following application papers is evidenced hereon by official stamp of the  
U. S. Patent and Trademark Office:  
Continued Prosecution Application (CPA) Req. Transmittal  
Certification of Mailing  
Amendment (8 pages) (\$908.00 fee)

83927 CCD

06/10/02 jen

NAVONR 5870/51 (Rev. 6-94)

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
 DUPLICATE

<b>Address to:</b> Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application  First Named Inventor  Examiner Name  Group Art Unit  Express Mail Label No.
74023 Russell Mengistu 2774	

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
 (continued prosecution application (CPA)) of prior application number 08 / 518051,  
 filed on 22 Aug 95, entitled Programmable Gray-Scale Liquid Crystal Display.

**NOTES:**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either (1) complete as defined by 37 CFR 1.51(b); or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice Changes and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000); 7233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-P-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(j).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** If a CPA no reference to the prior application is needed in the first sentence of the specification, and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 CFR 1.78(e).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
 .....  
 b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS	
	<b>TOTAL CLAIMS (37 CFR 1.16(e) or (l))</b>	<b>8 -20* =</b>	<b>0</b>	x \$ _____ =	\$	
	<b>INDEPENDENT CLAIMS (37 CFR 1.16(b) or (l))</b>	<b>5 -3** =</b>	<b>2</b>	x \$ <u>84.00</u> =	<b>\$168.00</b>	
	<b>MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))</b>			+ \$ _____ =		
				<b>BASIC FEE (37 CFR 1.16)</b>	<b>\$740.00</b>	
	<b>Total of above Calculations =</b>				<b>\$908.00</b>	
	<b>Reduction by 50% for filing by small entity (Note 37 CFR 1.27).</b>					
	<small>* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.</small>					<b>TOTAL = \$908.00</b>
<p>6. <input type="checkbox"/> Small entity status: Applicant claims small entity status. See 37 CFR 1.27.</p> <p>7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. <u>50 - 0847</u>:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> Fees required under 37 CFR 1.16.</li> <li><input type="checkbox"/> Fees required under 37 CFR 1.17.</li> <li><input type="checkbox"/> Fees required under 37 CFR 1.18.</li> </ol> <p>8. <input type="checkbox"/> A check in the amount of \$ _____ is enclosed.</p> <p>9. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>10. <input type="checkbox"/> Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.</p> <p>11. <input checked="" type="checkbox"/> New Attorney Docket Number, if desired <u>83927</u>  <small>[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]</small></p> <p>12. a. <input type="checkbox"/> Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  b. <input type="checkbox"/> Return Receipt Postcard (Should be specifically itemized, See MPEP 503)</p> <p>13. <input type="checkbox"/> Other: _____</p>						

**NOTE:**

The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	<input type="checkbox"/> [Bar Code Label]	<input type="checkbox"/> New correspondence address below <small>(Insert Customer No. or Attach bar code label here)</small>
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name - Print Type	Cell/Lic. Col. Number
Signature	
Registration No. Attorney/Agent	49041
Date	07-22-02

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